

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION**

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**W. Kelley Jackson,**

Court File No. 08-398  
(JNE/JJG)

**Plaintiff,**

**v.**

**NOTICE OF APPEAL**

**Lakewinds Natural Foods,**

**Defendant.**

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Notice is hereby given that Plaintiff W. Kelley Jackson hereby appeals to the United States Court of Appeals for the Eight Circuit from the final judgment entered in this action on July 28, 2009.

**MANSFIELD, TANICK & COHEN, P.A.**

Dated: August 17, 2009

By: 

Marshall H. Tanick (108303)  
1700 U.S. Bank Plaza South  
220 South Sixth Street  
Minneapolis, MN 55402-4511  
(612) 339-4295

**ATTORNEYS FOR PLAINTIFF  
W. KELLEY JACKSON**

U.S. COURT OF APPEALS - EIGHTH CIRCUIT  
APPELLANT'S FORM A  
Appeal Information Form  
To be filed with the Notice of Appeal

Appeal Docket No. \_\_\_\_\_

STYLE OF CASE:

W. Kelley Jackson,

Appellant/Appellee.

vs.

Lakewinds Natural Foods,

Appellant/Appellee

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Marshall H. Tanick (#108303)  
Teresa J. Ayling (#157478)  
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COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Malcolm P. Terry  
Meserli & Kramer, P.A.  
1800 Fifth Street Towers  
150 S. Fifth Street  
Minneapolis, MN 55402

LIST ISSUES ON APPEAL (For administrative purposes). You may indicate that this also serves as your statement of issues under FRAP 10(b)(3). ☒ Yes. ☐ No.

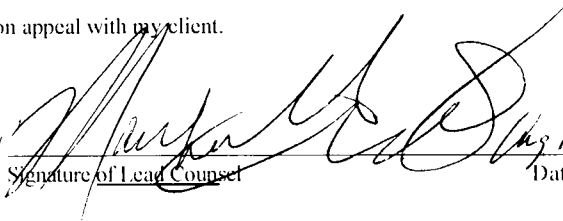
1. Did the trial court err in granting Summary Judgment, dismissing Plaintiff's claim of age discrimination under the ADEA and the Minnesota Human Rights Act?
2. Did the trial court err in granting Summary Judgment, dismissing Plaintiff's claim of sex discrimination under Title VII and the Minnesota Human Rights Act?

FOR LEAD COUNSEL ONLY

I ☒ have (☐ have not) discussed settlement possibilities on appeal with my client.

This appeal ☒ is (☐ is not ) amenable to settlement.

Submitted by: s/

  
Signature of Lead Counsel

July 17, 2009  
Date

INSTRUCTIONS:

Filing of appellant's Form A is required to be submitted to the Clerk of the District Court with the Notice of Appeal (8 Cir. Rule 3B). If inadvertently omitted, appellant may file Form A directly with the Clerk of the Court of Appeals before appeal is docketed. Forms are available at the District Court Clerk's Office and may be obtained electronically at:

[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

Copy 1 - Send to Appellee (together with an uncompleted Form B)

Copy 2 & 3 - Send to Clerk, District Court with Notice of Appeal or Eighth Circuit (see above)

Copy 4 - Retain

U. S. COURT OF APPEALS -EIGHTH CIRCUIT      Appeal Docket No.

APPELLANT'S FORM B

Appeal Information Form

**Make 3 copies of completed form**

CASE NAME (Underline name of Appellee):

IS THE ALIGNMENT OF PARTIES, NAMES, ADDRESSES ,AND TELEPHONE NUMBERS CORRECT ON  
APPELLANT'S FORM A?

☐ Yes

☐ No

If no, list corrections below

FOR LEAD COUNSEL ONLY

I            have            have not      discussed settlement possibilities on appeal with my client.

This appeal ☐ is (☐ is not) amenable to settlement.

NAME, ADDRESS, AND TELEPHONE NUMBER OF LEAD COUNSEL:

Submitted by



Signature of lead counsel

Date

Copy 1      - Send to Appellant  
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Copy 4      - Retain